

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

WNI 22-028473
LOGS Legal Group LLP
14000 Commerce Parkway, Suite B
Mount Laurel, NJ 08054
(856) 793-3080
Kathleen M. Magoon - 040682010
Elizabeth L. Wassall - 023211995
ATTORNEYS FOR WELLS FARGO BANK, N.A.

In Re:

EVERTON G. RAINFORD AND WINNIFRED A.
RAINFORD,

DEBTORS

Case No.: 19-18863-JKS

Judge: HONORABLE JOHN K.
SHERWOOD

Chapter: 13

NOTICE OF OBJECTION TO CONFIRMATION

The undersigned, LOGS Legal Group LLP, attorneys for the Secured Creditor, Wells Fargo Bank, N.A., the holder of a Mortgage on Debtors' property located at 26 Essex Avenue, Maplewood, NJ 07040, hereby objects to the Confirmation of the Debtors' proposed Modified Chapter 13 Plan, ECF # 43, on the following grounds:

- 1) Debtor's proposed Modified Chapter 13 Plan does not provide for the curing of the full amount of the mortgage arrearage accrued at the time of the Bankruptcy filing to Secured Creditor. Debtor's Plan proposes to pay Secured Creditor \$0.00. Secured Creditor is owed pre-petition arrearage in the amount of \$592.95 per filed POC No.4-1.
- 2) Debtor's proposed Modified Chapter 13 Plan does not provide for the Secured Creditor to receive distributions with a value equal to the allowed amount of its claims required by 11 U.S.C.1325(a)(5)(B)(ii).

3) Debtor's proposed Modified Chapter 13 Plan fails to list Secured Creditor under Part 4a of the Modified Chapter 13 Plan for curing and maintaining payments.

4) Debtors' proposed Modified Chapter 13 Plan does not explicitly provide the amount to maintain ongoing contractually due monthly obligations to Secured Creditor in violation of 11 U.S.C. 1322(b)(5).

WHEREFORE, Wells Fargo Bank, N.A. respectfully requests that the Confirmation of Debtors' Modified Chapter 13 Plan be denied, and that the Debtors be required to file a new Modified Chapter 13 Plan providing for full payment of arrears due to the Secured Creditor.

LOGS LEGAL GROUP LLP

By: /s/Elizabeth L. Wassall
Elizabeth L. Wassall - 023211995

Dated: 5-2-2022

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CERTIFICATION OF SERVICE

I, Linda Wright the undersigned

1. ☐ represent the _____ in the above-captioned matter.
☒ am the secretary/paralegal for Kathleen M. Magoon, Esquire and Elizabeth L. Wassall, Esquire, who represents the Secured Creditor in the above-captioned matter.
☐ am the _____ in the above case and am representing myself.
2. On 5/2/2022, I sent a copy of the following pleadings and/or documents to the parties listed in the chart below:
 - Notice of Objection to Confirmation
3. I hereby certify under penalty of perjury that the above documents were sent using the mode of service indicated.

Signature

Dated: 5/2/2022

/s/ Linda Wright

Printed Name

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
Herbert B. Raymond 7 Glenwood Avenue Suite 408, 4th Floor East Orange, NJ 07017		<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court*)
Marie-Ann Greenberg 30 Two Bridges Road Suite 330 Fairfield, NJ 07004		<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court*)
Everton G Rainford and Winnifred A Rainford 26 Essex Avenue Maplewood, NJ 07040		<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court*)
		<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court*)

* May account for service by fax or other means as authorized by the court through the issuance of an Order Shortening Time.